

THE MONTHLY MEETING OF BERKELEY COUNTY COUNCIL is scheduled to be held on **MONDAY APRIL 26, 2010**, following Public Hearings and the meetings of any scheduled Committees at **6:00 p.m.**, in the **ASSEMBLY ROOM, BERKELEY COUNTY ADMINISTRATION BUILDING, 1003 HIGHWAY 52, MONCKS CORNER, S. C.**

CALL TO ORDER

APPROVAL OF MINUTES:

Public Hearings: Bills Numbered: 10-01 and 10-02

March 22, 2010

Regular Council Meeting

March 22, 2010

Regular Council Meeting

February 22, 2010

PUBLIC DISCUSSION - Requests to be heard must be made prior to call to Order and comments must be limited to Agenda items only.

COMMENTS ON ANY PUBLIC DISCUSSION ITEM WILL BE LIMITED TO THREE (3) MINUTES PER SPEAKER. (A TOTAL OF 30 MINUTES WILL BE ALLOTTED FOR THIS PUBLIC DISCUSSION PERIOD.)

EXECUTIVE SESSION to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries, or other businesses in the area served by the county; or discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claim, or the position of the County in other adversary situations involving the assertion against the County of a claim.

CHAIRMAN OF COUNTY COUNCIL

THIRD READING:

1. Bill No. 10-03, an **ordinance** to add and amend certain sections of **Ordinance No. 04-11-68**, adopted November 23, 2004, which amended Ordinance No. 01-8-35 adopted August 27, 2001, and Ordinance No. 02-8-33 adopted August 26, 2002, Zoning and Development Standards Ordinance, "Berkeley County Zoning Ordinance". (*Unclean Lots*)
[Recommended by Committee on Land Use]

2. Bill No. 10-04, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Michelle Cooper for Lois Dangerfield**, located near 668 Broughton Road, Moncks Corner, **TMS #122-00-03-145** (40.74 acres), **from F-1, Agricultural District to PD-MU, Planned Development Mixed Use District**. Council District No. 8.

[Recommended by Committee on Land Use]

SECOND READING:

1. **Bill No. 10-05**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **MeadWestvaco**, located at intersection of Rose Drive, Turtle Pond Road, and U.S. Highway 17A, Summerville, **TMS #221-00-00-137, -062, -083, -092, -087, -089, -145 and #221-16-01-019, -020, -022, -038** (47.91 acres), **from R-1, Single Family Residential District; R-2, Manufactured Residential District; GC, General Commercial District; and OI, Office and Institutional District to PDMU, Planned Development-Mixed Use District.** Council District No. 4.

[Recommended by Committee on Land Use]

2. **Bill No. 10-06**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Wash & Lizzie Johnson**, 1727 County Line Road, Cross, **TMS #051-00-00-010** (2.40 acres), **from GC, General Commercial District to F-1, Agricultural District.** Council District No. 7.

[Recommended by Committee on Land Use]

3. **Bill No. 10-07**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Ashley Surveying for Coleman Dangerfield**, 271 Lazy Hill Road, Moncks Corner, Portion of **TMS #196-00-00-037** (53 +/- acres), **from PDMU, Planned Development Mixed Use District to F-1, Agricultural District.** Council District No. 6.

[Recommended by Committee on Land Use]

4. **Bill No. 10-08**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Lewis Mills**, 2325 North Highway 17-A, Bonneau, **TMS #087-00-04-059** (0.50 acres), **from RNC, Rural & Neighborhood Commercial District to F-1, Agricultural District.** Council District No. 6.

[Recommended by Committee on Land Use]

5. **Bill No. 10-09**, an **ordinance** to amend the **Code of Ordinances, Berkeley County, South Carolina**, setting rates, charges and penalties for Water and Sewer Service provided by the **Berkeley County Water and Sanitation.**

[Recommended by Committee on Water and Sanitation]

FIRST READING:

1. **Bill No. 10-10**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Jeffery Moorer for Norman and Mary Laskey**, located approximately 2,340 L. F. east of the intersection of South Live Oak Drive and Cypress Gardens Road, Moncks Corner, **TMS #210-00-00-126** (10.35 acres), **from GC, General Commercial District to HI, Heavy Industrial District.** Council District No. 6.

[Recommended by Committee on Lands Use]

2. **Bill No. 10-11**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Mark Wyson** for multiple owners in Cainhoy Plaza "HPR", located at 2126 Cainhoy Road, Huger, **TMS #248-05-01-001 through 248-05-01-028 and all common P.O.A areas** (3.0 +/- acres), **from RNC, Rural & Neighborhood Commercial District to LI, Light Industrial District**. Council District No. 8.

[Recommended by Committee on Land Use]

3. **Bill No. 10-12**, an **ordinance** providing for the adoption of fiscal year 2010-2011 (**beginning July 1, 2010 and ending June 30, 2011**) **budgets** for the Berkeley County Water and Sanitation and the Berkeley County Water and Sanitation Solid Waste Fund; establishing operational, debt service, and capital improvement budgets for water and sewer; and to provide for the expenditures of revenues coming into Berkeley County Water and Sanitation and the Berkeley County Water and Sanitation Solid Waste Fund during the fiscal year, and to amend the Code of Ordinances, Berkeley County, South Carolina, setting rates, charges and penalties for Water and Sewer and Solid Waste Service by Berkeley County Water and Sanitation.

[Recommended by Committee on Water and Sanitation]

4. **Bill No. 10-13**, an **ordinance** to amend and clarify certain sections of Ordinance No. 01-8-35, adopted August 27, 2001, Zoning and Development Standards Ordinance, "Berkeley County Zoning Ordinance" and amending Ordinances No. 02-08-33, 02-12-58, 04-11-68, 05-03-08, 05-08-58, 06-09-63, 06-12-92, 07-07-43, and 08-10-63 **in regard to the proposed overlay district for Pimlico Subdivision with map**.

[Recommended by Committee on Finance]

5. **Bill No. 10-14**, an **ordinance** to **amend Ordinance No. 09-07-36**, adopted July 27, 2009, to provide for Supplemental Appropriations and allocations thereof within the **2009-2010 Budget** for Berkeley County; and other matters relating thereto.

[Recommended by Committee on Finance]

6. **Bill No. 10-15**, an **ordinance** providing for the fiscal year beginning **July 1, 2010, and ending June 30, 2011**, for the **Devon Forest Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Devon Forest Special Tax District during the fiscal year.

[Recommended by Committee on Finance]

7. **Bill No. 10-16**, an **ordinance** providing for the fiscal year beginning **July 1, 2010, and ending June 30, 2011**, for the **Pimlico Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Pimlico Special Tax District during the fiscal year.

[Recommended by Committee on Finance]

8. **Bill No. 10-17**, an **ordinance** providing for the fiscal year beginning **July 1, 2010, and ending June 30, 2011**, for the **Sangaree Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Sangaree Special Tax District during the fiscal year.

[Recommended by Committee on Finance]

9. Bill No. 10-18, an ordinance providing for the fiscal year beginning **July 1, 2010, and ending June 30, 2011**, for the **Tall Pines Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Tall Pines Special Tax District during the fiscal year.

[Recommended by Committee on Finance]

10. Bill No. 10-19, an ordinance providing for the fiscal year beginning **July 1, 2010, and ending June 30, 2011**, for the operational budget of the **Berkeley County Special Fire Tax District** within the unincorporated portions of Berkeley County; and to provide for the expenditures of the revenues received by the Special Fire Tax District during the fiscal year.

[Recommended by Committee on Finance]

11. Bill No. 10-20, an ordinance providing appropriations for the fiscal year beginning **July 1, 2010, and ending June 30, 2011**, for **Berkeley County**; to provide for levy of taxes on all taxable property in Berkeley County for all county purposes; to provide for the expenditures of said taxes and other revenues coming into the county for the fiscal year.

[Recommended by Committee on Finance]

RESOLUTIONS:

1. RESOLUTION providing for the **Transfer of Funds** in the **2009-2010 Berkeley County Budget** for County purposes other than as specified in said Budget.

[Recommended by Committee on Finance]

REPORTS FROM STANDING COMMITTEES:

- 1. Committee on Finance.**
Council Member, Mr. Jack H. Schurlknight, Chairman.
 - a.** Trident Technical College Funding request.
- 2. Committee on Land Use.**
Council Member, Mr. Phillip Farley, Chairman.
 - a.** Gateway Community Church.
- 3. Committee on Public Works and Purchasing.**
Council Member, Mr. Robert O. Call, Jr., Chairman.
 - a.** Solid Waste Consulting Engineer Firm.
 - b.** Solid Waste Best-Value Bid Heavy Equipment Purchases.
 - c.** Waste Industries hauling rates.
 - d.** Central Berkeley Wastewater Plant Relocation.

- 4. Committee on Justice and Public Safety.**
Council Member, Mr. Steve C. Davis, Chairman.
 - a.** Recommendations to approve the following:
 1. Federal FY 2011 Highway Safety Grant (\$490,480.00)
 2. Homeland Security Grant (\$350,128.40)
 3. CAREpoint Project and Memorandum of Agreement with DHEC.
- 5. Committee on Water and Sanitation.**
Council Member, Mr. Timothy J. Callanan, Chairman.
 - a.** Recommendation to approve:
 1. Central Berkeley Waste Water Treatment Plant increase in budget.
- 6. Committee on Planning and Development.**
Council Member, Mrs. Cathy S. Davis, Chairman.
- 7. Committee on Community Services.**
Council Member, Mr. Caldwell Pinckney, Jr., Chairman.
- 8. Committee on Human Services.**
Council Member, Mr. Dennis Fish, Chairman.

NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.

AERONAUTICS COMMISSION

BCD RURAL TRANSPORTATION MANAGEMENT ASSOCIATION

CHARLESTON AREA TRANSPORTATION STUDY

LIBRARY BOARD

MENTAL HEALTH BOARD

PLANNING COMMISSION

District 3 - Mr. Jake Serrano

SPECIAL FIRE TAX DISTRICT ADVISORY COMMISSION

ZONING APPEALS BOARD

CORRESPONDENCE

UNFINISHED BUSINESS

NEW BUSINESS

ANNOUNCEMENTS

THE MAY 2010, REGULAR MEETING OF BERKELEY COUNTY COUNCIL WILL BE HELD ON MONDAY MAY 24, 2010, IMMEDIATELY FOLLOWING PUBLIC HEARINGS AND OTHER COMMITTEE MEETINGS AT 6:00 PM, IN THE ASSEMBLY ROOM OF THE BERKELEY COUNTY ADMINISTRATION BUILDING, 1003 HIGHWAY 52, MONCKS CORNER, S. C.

(COMMITTEE MEETINGS WILL BE HELD ON TUESDAY MAY 11, 2010)

ADJOURNMENT

EXECUTION OF DOCUMENTS BY COUNCIL

PUBLIC DISCUSSION

COMMENTS ON ANY PUBLIC DISCUSSION ITEM WILL BE LIMITED TO THREE (3) MINUTES AND MAY BE ON ANY MATTER.

April 21, 2010
S/Barbara B. Austin, CCC
Clerk of County Council